

19 January 1965

MEMORANDUM FOR THE RECORD

SUBJECT: Proposed Amendments to Export Control Act
of 1949

1. BOB has requested Agency views by 29 January 1965.
2. BOB message was received 18 January, and material was referred to Dr. Otto Guthe, ORR, on 19 January per telephone conversation with him.
3. Dr. Guthe sits on the Advisory Committee on Export Policy to the Export Control Review Board, chaired by the Secretary of Commerce with the Secretary of State and Defense being members.
4. The Export Control Act is administered by the Secretary of Commerce under Executive Order No. 10945, dated 24 May 1961. The Act, in essence, provides that trade shall be related to foreign policy, national security, and domestic shortages. Penalties for violating these policies, as administered under its licensing requirements, include confiscation of material to be exported and fines and/or imprisonment.

5. The purpose of the instant proposed amendment is (1) to extend the Act indefinitely (due to expire 31 June 1965) and (2) to authorize the administrative assessment of penalties now provided which are time consuming to administer and may be too stringent for a host of minor violations which occur. In effect, the present provisions of the Act have somewhat become nullities since the only options are to issue letters of warning which have little deterrent effect or to engage in the lengthy processing of the only penalties now provided in the Act.



Office of Legislative Counsel

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